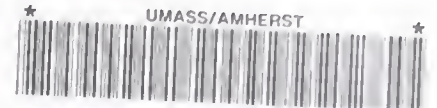




Office of Educational Equity

The Commonwealth of Massachusetts

Department of Education



312066 0270 7723 4

1385 Hancock Street, Quincy, Massachusetts 02169-5183

October 30, 1989

TO: Commissioner Raynolds
FROM: Charles Glenn, Executive Director
RE: Statistical Report on Statewide Desegregation

Massachusetts is virtually unique among the states in its efforts to promote school desegregation. These efforts are based upon policy established by the Legislature and upon the Board of Education's responsibility to protect the constitutional rights of minority pupils. Extensive state funding and technical assistance is provided to school systems that are developing and implementing desegregation plans.

Desegregation in Massachusetts has experienced a major setback this year--despite the growing number of cities seeking to implement plans--because of deep cuts in state funding for this purpose, and in the authorization level for new magnet school facilities. This is the first time since the adoption of the Massachusetts Racial Balance Law in 1965 that state support for educational equity has diminished.

The relation between state and federal requirements, and the primary sources of state support for desegregation, are described at the end of this report.

The simplest and most flexible measure of the extent to which schools in a community are racially identifiable is to compare the minority enrollment of each school with the system-wide minority enrollment for that system.

This report covers seven Massachusetts cities with substantial minority enrollments which have implemented race desegregation plans. Boston will be discussed in a separate report related to the new controlled choice plan. Fall River, New Bedford, Northampton, Salem, Medford, Methuen and Revere are also implementing plans, but are not included in this report.

The degree of desegregation varies among the seven communities. The following table shows the overall minority proportion in each community (excluding high schools and some intermediate schools), and the extent to which the average school deviates from that proportion; it is thus a good indication of the effectiveness of

each desegregation plan.

	Minority Proportion	Average Deviation
Cambridge	50%	3 percentage points
Lawrence	73%	6 percentage points
Holyoke	69%	6 percentage points
Lowell	46%	7 percentage points
Lynn	35%	10 percentage points
Springfield	61%	12 percentage points
Worcester	33%	15 percentage points

The average school in these districts is 10 percentage points above or below the citywide proportion, and we have encouraged school systems to take 10 percentage points or less as their goal in implementing a plan. A plan for Lynn was recently approved, however, with a 15 percentage point range.

**Schools in Desegregating Districts, 1989, ranked by Deviation
from the Citywide Minority Proportion in Each Community**

WORCESTER	WOODLAND	37%
WORCESTER	BELMONT	31%
LYNN	Sewell Anderson	26%
SPRINGFIELD	LINCOLN	26%
SPRINGFIELD	CHESTNUT	26%
WORCESTER	CHANDLER	26%
SPRINGFIELD	BRIGHTWD	25%
WORCESTER	ROOSEVELT	24%
WORCESTER	CHANDLER MAG	24%
WORCESTER	ST.NICHOLAS	23%
WORCESTER	RICE SQ	23%
LYNN	Lynn Wds	23%
WORCESTER	GAGE ST	23%
WORCESTER	DARTMOUTH	23%
WORCESTER	WAWECUS RD	22%
SPRINGFIELD	DEBERRY	22%
LOWELL	COLBURN	22%
WORCESTER	HEARD	21%
SPRINGFIELD	HARRIS	21%
WORCESTER	NELSON PL	20%
SPRINGFIELD	COMMERCE HIGH	20%
SPRINGFIELD	INDIAN ORCHARD	20%
SPRINGFIELD	HOWARD ST	20%

SPRINGFIELD	BRUNTON	20%
SPRINGFIELD	LIBERTY	19%
WORCESTER	WEST TATNUCK	18%
WORCESTER	VERNON HILL	18%
WORCESTER	MAY ST	18%
LOWELL	GREEN	18%
SPRINGFIELD	BEAL	18%
SPRINGFIELD	WHITE ST	17%
LAWRENCE	Rollins	17%
WORCESTER	NEW LUDLOW	17%
WORCESTER	LAKE VIEW	17%
LYNN	Shoemaker	16%
WORCESTER	ELM PK	16%
WORCESTER	MIDLAND	15%
SPRINGFIELD	KILEY	15%
WORCESTER	GREENDALE	15%
WORCESTER	GATES LANE	15%
WORCESTER	FLAGG	15%
LOWELL	SHAUGHNESS	14%
SPRINGFIELD	POTTENGER	14%
HOLYOKE	MCMAHON	14%
WORCESTER	MCGRATH	14%
LYNN	Connery	14%
WORCESTER	CLARK ST	14%
LOWELL	AMES	14%
LYNN	Aborn	14%
WORCESTER	MILLBURY	13%
WORCESTER	CANTERBURY	13%
LAWRENCE	Breen	13%
LAWRENCE	Tarbox	12%
SPRINGFIELD	TALMADGE	12%
LOWELL	MOLLOY	12%
HOLYOKE	LAWRENCE	12%
HOLYOKE	KIRTLAND	12%
SPRINGFIELD	GLENWOOD	12%
WORCESTER	COLUMBUS	12%
LYNN	Cobbett	12%
LYNN	Washington	11%
SPRINGFIELD	WARNER	11%
LOWELL	REILLY	11%
LOWELL	MOODY	11%
WORCESTER	LINCOLN	11%
LYNN	Ingalls	11%
SPRINGFIELD	DORMAN	11%
WORCESTER	BURNCOAT	11%
SPRINGFIELD	CENTRAL HIGH	10%
LYNN	Pickering Jr Hi	10%
LAWRENCE	Storrow	10%
LOWELL	RIVERSIDE	10%

SPRINGFIELD	HOMER ST	10%
LYNN	Sisson	9%
LYNN	Robinson	9%
LAWRENCE	Oliver	9%
WORCESTER	NORRBACK	9%
SPRINGFIELD	FOREST PK	9%
LYNN	Drewicz	9%
LOWELL	CITY	9%
LOWELL	CARD. O'CO	9%
SPRINGFIELD	BALLIET	9%
SPRINGFIELD	16 ACRES	9%
LYNN	Tracy	8%
LOWELL	LEBLANC	8%
LYNN	Eastern Jr Hi	8%
LYNN	Harrington	8%
LOWELL	ARTS	8%
CAMBRIDGE	TOBIN COMPUT	7%
LAWRENCE	Gen. Donovan	7%
LAWRENCE	Arlington	7%
LOWELL	ROBINSON	6%
LOWELL	PAWTUCKETV	6%
HOLYOKE	MORGAN	6%
WORCESTER	MILL SWAN	6%
LOWELL	LINCOLN	6%
WORCESTER	GRANITE	6%
LYNN	Brickett	6%
LOWELL	VARNUM	5%
HOLYOKE	SULLIVAN	5%
WORCESTER	QUINSIGAMOND	5%
SPRINGFIELD	NEW NRTH	5%
LAWRENCE	Leonard	5%
SPRINGFIELD	KENSNGTN	5%
SPRINGFIELD	KENNEDY	5%
LYNN	Hood	5%
LYNN	Putnam Voc/Tech	5%
CAMBRIDGE	HARRINGTON	5%
SPRINGFIELD	GLICKMAN	5%
LAWRENCE	Frost	5%
SPRINGFIELD	BOWLES	5%
WORCESTER	ADAMS ST	5%
WORCESTER	UNION HILL	4%
CAMBRIDGE	TOBIN	4%
LOWELL	ROGERS	4%
HOLYOKE	METCALF	4%
CAMBRIDGE	MAYNARD	4%
CAMBRIDGE	LONGFELLOW	4%
LYNN	Lincoln	4%
HOLYOKE	KELLY	4%
SPRINGFIELD	FREEDMAN	4%
HOLYOKE	E.C.C.	4%

HOLYOKE	DONAHUE	4%
LOWELL	DALEY	4%
LOWELL	WASHINGTON	3%
WORCESTER	THORNDYKE	3%
LAWRENCE	Saunders	3%
HOLYOKE	PECK	3%
LOWELL	MCAVINNUE	3%
LAWRENCE	Hennessey	3%
WORCESTER	HARLOW	3%
CAMBRIDGE	HAGGERTY	3%
WORCESTER	GRAFTON	3%
LYNN	Ford	3%
CAMBRIDGE	FLETCHER	3%
LOWELL	BARTLETT	3%
CAMBRIDGE	AGASSIZ	3%
CAMBRIDGE	MORSE	2%
HOLYOKE	LYNCH	2%
CAMBRIDGE	KING	2%
LAWRENCE	Kane	2%
LOWELL	J.PYNE	2%
WORCESTER	FREELAND	2%
SPRINGFIELD	ELLS	2%
WORCESTER	DOWNING	2%
LOWELL	BUTLER	2%
LAWRENCE	Wetherbee	1%
SPRINGFIELD	VAN SICKLE	1%
LOWELL	PINE/BRADY	1%
LAWRENCE	Leahy	1%
CAMBRIDGE	KENNEDY	1%
HOLYOKE	HIGHLAND	1%
CAMBRIDGE	GRHM/PARKS	1%
CAMBRIDGE	FITZGERALD	1%
LYNN	Callahan	1%
LAWRENCE	Bruce	1%
SPRINGFIELD	ARMORY	1%
WORCESTER	TATNUCK	0%
SPRINGFIELD	SUMNER	0%
LYNN	Breed Jr Hi	0%
LAWRENCE	Salem St	0%
CAMBRIDGE	PEABODY	0%
LOWELL	MOREY	0%
LAWRENCE	Lawlor	0%
LOWELL	GREENHLGE	0%

**Cambridge 1986 & 1989: Minority Enrollments and Deviation from
Citywide Minority Proportion in Elementary (k-8) Schools**

Cambridge developed and adopted the first "controlled choice"

assignment plan in the nation in 1981; it has proved highly effective in achieving stable desegregation in all schools.

	1986		1989	
	ENR	DEV	ENR	DEV
AGASSIZ	45%	-2%	47%	-3%
FITZGERALD	53%	6%	51%	1%
FLETCHER	46%	-1%	53%	3%
HAGGERTY	45%	-2%	47%	-3%
HARRINGTON	41%	-6%	45%	-5%
KENNEDY	43%	-4%	51%	1%
KING	51%	4%	52%	2%
LONGFELLOW	47%	0%	54%	4%
MORSE	49%	2%	52%	2%
PEABODY	49%	2%	50%	0%
MAYNARD	51%	4%	54%	4%
TOBIN	46%	-1%	46%	-4%
TOBIN COMPUTER			43%	7%
GRHM/PARKS	51%	4%	51%	1%
TOTAL	47%		50%	

Holyoke 1986 & 1989: Minority Enrollment of Elementary and Intermediate Schools and Deviation from Citywide Proportion

The Holyoke elementary plan is modeled on that in Springfield, with primary and upper elementary schools grouped to achieve a desegregated enrollment in each. The two intermediate schools are desegregated through districting.

	1986		1989	
	ENR	DEV	ENR	DEV
HIGHLAND	61%	3%	70%	1%
MCPAHON	47%	-11%	55%	-14%
MORGAN	73%	15%	75%	6%
KELLY	65%	7%	65%	-4%
LAWRENCE	74%	16%	81%	12%
SULLIVAN	51%	-7%	64%	-5%
E.C.C.			73%	4%
DONAHUE	64%	6%	65%	-4%
KIRTLAND	58%	0%	81%	12%
METCALF	67%	9%	73%	4%
WHITE	17%	-41%		
PECK JR HI	50%	-8%	66%	-3%
LYNCH JR HI	52%	-6%	71%	2%
average	58%		69%	

Lawrence 1986, 1988 & 1989: Minority Enrollment of Elementary and Intermediate Schools and Deviation from Citywide Proportion

Lawrence adopted and implemented a "controlled choice" desegregation plan for its elementary and intermediate schools in 1987, after having successfully implemented a 1984 plan based upon mandatory reassignments.

	1986 ENR	1986 DEV	1988 ENR	1988 DEV	1989 ENR	1989 DEV
Arlington	69%	6%	75%	5%	80%	7%
Breen	60%	-3%	55%	-15%	60%	-13%
Bruce	58%	-5%	65%	-5%	72%	-1%
Frost	62%	-1%	68%	-2%	68%	-5%
Gen. Donovan	80%	17%	83%	13%	80%	7%
Hennessey	70%	7%	72%	2%	76%	3%
Kane	49%	-14%	67%	-3%	71%	-2%
Lawlor	86%	23%	73%	3%	73%	0%
Leahy	60%	-3%	74%	4%	74%	1%
Leonard	52%	-11%	62%	-8%	68%	-5%
Oliver	80%	17%	85%	15%	82%	9%
Rollins	54%	-9%	46%	-24%	56%	-17%
Salem St	42%	-21%	69%	-1%	73%	0%
Saunders	55%	-8%	69%	-1%	76%	3%
Storrow			64%	-6%	63%	-10%
Tarbox			81%	11%	85%	12%
Wetherbee	59%	-4%	67%	-3%	72%	-1%
Total	63%		70%		73%	

Lowell 1986-89: Minority Enrollment of Elementary and Intermediate Schools and Deviation from Citywide Proportion

Lowell adopted and implemented a "controlled choice" assignment plan for its elementary and intermediate schools in 1986.

	1986		1987		1988		1989	
	ENR	DEV	ENR	DEV	ENR	DEV	ENR	DEV
AMES	41%	9%			35%	-7%	32%	-14%
ARTS	36%	4%	34%	-1%	35%	-7%	38%	-8%
BARTLETT	47%	15%	46%	11%	43%	1%	49%	3%
BOYS CLUB	100%	68%						
BUTLER	30%	-2%					44%	-2%
CARD. O'CO	54%	22%	62%	27%	60%	18%	55%	9%

CITY	42%	10%	41%	6%	36%	-6%	37%	-9%
COLBURN	20%	-12%	15%	-20%	21%	-21%	24%	-22%
DALEY	26%	-6%	25%	-10%	40%	-2%	42%	-4%
GREEN	62%	30%	57%	22%	52%	10%	64%	18%
GREENHLGE	33%	1%	33%	-2%	46%	4%	46%	0%
J.PYNE	3%	-29%	50%	15%	48%	6%	48%	2%
LEBLANC	13%	-19%	17%	-18%	40%	-2%	38%	-8%
LINCOLN	43%	11%	47%	12%	54%	12%	52%	6%
MCAVINNUE	6%	-26%	13%	-22%	38%	-4%	43%	-3%
MOLLOY	40%	8%	45%	10%	51%	9%	58%	12%
MOODY			17%	-18%	33%	-9%	35%	-11%
MOORE ST	76%	44%						
MOREY	26%	-6%	31%	-4%	45%	3%	46%	0%
PAWTUCKETV	41%	9%	43%	8%	44%	2%	52%	6%
PINE/BRADY	6%	-26%	31%	-4%	45%	3%	47%	1%
REILLY	13%	-19%	25%	-10%	33%	-9%	35%	-11%
RIVERSIDE					59%	17%	56%	10%
ROBINSON	30%	-2%	36%	1%	38%	-4%	40%	-6%
ROGERS	30%	-2%	32%	-3%	38%	-4%	50%	4%
SHAUGHNESS	44%	12%	56%	21%	47%	5%	60%	14%
VARNUM	24%	-8%	33%	-2%	44%	2%	51%	5%
WASHINGTON	32%	0%	25%	-10%	30%	-12%	49%	3%
TOTAL	32%		35%		42%		46%	

**Lynn 1986-89: Minority Enrollments and Deviation from Citywide
Minority Proportion in Elementary Schools**

	1986 Minority		1987 Minority		1988 Minority		1989 Minority	
	ENR	DEV	ENR	DEV	ENR	DEV	ENR	DEV
Sewell And	3%	21%	2%	25%	3%	28%	9%	26%
Lynn Wds	5%	19%	5%	22%	9%	22%	12%	23%
Shoemaker	6%	18%	4%	23%	26%	5%	19%	16%
Aborn	3%	21%	3%	24%	12%	19%	21%	14%
Connery	43%	19%	55%	28%	54%	23%	49%	14%
Cobbett	36%	12%	40%	13%	40%	9%	47%	12%
Ingalls	45%	21%	50%	23%	48%	17%	46%	11%
Washington	48%	24%	51%	24%	43%	12%	46%	11%
Drewicz	20%	4%	30%	3%	36%	5%	44%	9%
Robinson							26%	9%
Sisson	3%	21%	8%	19%	18%	13%	26%	9%
Harrington	55%	31%	57%	30%	44%	13%	43%	8%
Tracy	13%	11%	20%	7%	26%	5%	43%	8%
Brickett	11%	13%	12%	15%	19%	12%	29%	6%
Hood	10%	14%	11%	16%	25%	6%	30%	5%
Lincoln	19%	5%	17%	10%	25%	6%	31%	4%

Ford	16%	8%	23%	4%	31%	0%	32%	3%
Callahan	28%	4%	32%	5%	40%	9%	36%	1%
Average	24%		27%		31%		35%	
Average Deviation	16%			17%		12%		11%

Lynn 1986-89: Intermediate Schools with Deviation from Citywide Minority Proportion

	1986		1989	
	ENR	DEV	ENR	DEV
Breed	27%	1%	29%	0%
Eastern	41%	15%	37%	8%
Pickering	5%	-21%	19%	-10%
Average	26%		29%	

Springfield 1986 & 1989: Minority Enrollment of Elementary and Intermediate Schools and Deviation from Citywide Proportion

Springfield's junior high school desegregation plan, implemented in the late 1960s, involved closing a predominantly-black school and redistributing the pupils. Some further desegregation has been achieved through voluntary (magnet) transfers.

The Six District Plan for the elementary schools was implemented in 1974, with an amendment implemented in 1976 to reduce the isolation of Hispanic pupils.

	1986		1989	
	ENR	DEV	ENR	DEV
LINCOLN	89%	32%	87%	26%
CHESTNUT	82%	25%	87%	26%
BRIGHTWD	80%	23%	86%	25%
DEBERRY	71%	14%	83%	22%
HOWARD ST	83%	26%	81%	20%
ALTERNATIVE	72%	15%		
POTTENGER	68%	11%	75%	14%
GLENWOOD	70%	13%	73%	12%
DORMAN	59%	2%	72%	11%
HOMER ST	73%	16%	71%	10%
NEW NRTH	65%	8%	66%	5%
ELLS	66%	9%	63%	2%

VAN SICKLE	65%	8%	62%	1%
ARMORY	57%	0%	62%	1%
SUMNER	49%	-8%	61%	0%
FREEDMAN	52%	-5%	57%	-4%
BOWLES	53%	-4%	56%	-5%
GLICKMAN	50%	-7%	56%	-5%
KENSNGTN	49%	-8%	56%	-5%
KENNEDY	49%	-8%	56%	-5%
16 ACRES	47%	-10%	52%	-9%
FOREST PK	47%	-10%	52%	-9%
BALLIET	46%	-11%	52%	-9%
WARNER	47%	-10%	50%	-11%
TALMADGE	45%	-12%	49%	-12%
KILEY	36%	-21%	46%	-15%
WHITE ST	51%	-6%	44%	-17%
BEAL	30%	-27%	43%	-18%
LIBERTY	36%	-21%	42%	-19%
BRUNTON	44%	-13%	41%	-20%
INDIAN ORCHA	38%	-19%	41%	-20%
HARRIS	32%	-25%	40%	-21%
TOTAL	57%		61%	

Springfield implemented the first stage of its high school desegregation plan in September 1986, with the opening of the new Central High School. This plan has not achieved its race and sex desegregation goals; indeed, the situation has worsened over the past three years. Newly-appointed Superintendent Peter Negroni is aware of and intends to address this issue.

	1986		1989	
	ENR	DEV	ENR	DEV
CENTRAL HI	38%	-13%	51%	-10%
COMMERCE	68%	17%	81%	20%
PUTNAM	53%	2%	56%	-5%
TOTAL	51%		61%	

Worcester 1986, 1988 & 1989: Minority Enrollment of Elementary Schools and Deviation from Citywide Proportion

The Worcester desegregation plan adopted in 1983-84 applies only to elementary schools. The junior high and high schools each serve quadrants of the city which are residentially desegregated.

Worcester has been engaged for several years in developing a new plan that can cope effectively with the changing demographics of the city and the expanding need for bilingual education services.

	1986		1988		1989	
	ENR	DEV	ENR	DEV	ENR	DEV
WOODLAND	64%	38%	66%	35%	70%	37%
BELMONT	65%	39%	60%	29%	64%	31%
CHANDLER	67%	41%	63%	32%	59%	26%
CHANDLER MAG			57%	26%	57%	24%
GAGE ST	44%	18%	59%	28%	56%	23%
ST.NIK	59%	33%	52%	21%	56%	23%
ELM PK	55%	29%	52%	21%	49%	16%
CLARK ST	42%	16%	44%	13%	47%	14%
CANTERBURY	42%	16%	44%	13%	46%	13%
COLUMBUS	39%	13%	39%	8%	45%	12%
BURNCOAT	38%	12%	45%	14%	44%	11%
LINCOLN	51%	25%	50%	19%	44%	11%
GRANITE	9%	-17%	36%	5%	39%	6%
ADAMS ST	43%	17%	42%	11%	38%	5%
HARLOW	38%	12%	38%	7%	36%	3%
DOWNING	32%	6%	25%	-6%	35%	2%
FREELAND	17%	-9%	30%	-1%	35%	2%
TATNUCK	13%	-13%	32%	1%	33%	0%
GRAFTON	16%	-10%	29%	-2%	30%	-3%
THORNDYKE	28%	2%	26%	-5%	30%	-3%
UNION HILL	15%	-11%	23%	-8%	29%	-4%
QUINSIGAMOND	21%	-5%	31%	0%	28%	-5%
MILL SWAN	26%	0%	27%	-4%	27%	-6%
NORRBACK	14%	-12%	25%	-6%	24%	-9%
MILLBURY	11%	-15%	17%	-14%	20%	-13%
MCGRATH	6%	-20%	10%	-21%	19%	-14%
FLAGG	5%	-21%	11%	-20%	18%	-15%
GATES LANE	8%	-18%	8%	-23%	18%	-15%
GREENDALE	3%	-23%	10%	-21%	18%	-15%
MIDLAND	6%	-20%	21%	-10%	18%	-15%
LAKE VIEW	7%	-19%	19%	-12%	16%	-17%
NEW LUDLOW	13%	-13%	16%	-15%	16%	-17%
MAY ST	9%	-17%	17%	-14%	15%	-18%
WEST TATNUCK	6%	-20%	7%	-24%	15%	-18%
VERNON HILL	9%	-17%	9%	-22%	15%	-18%
NELSON PL	6%	-20%	5%	-26%	13%	-20%
HEARD	7%	-19%	11%	-20%	12%	-21%
WAWECUS RD	2%	-24%	8%	-23%	11%	-22%
DARTMOUTH	16%	-10%	7%	-24%	10%	-23%
RICE SQ	2%	-24%	4%	-27%	10%	-23%
ROOSEVELT	10%	-16%	11%	-20%	9%	-24%
ELEM TOTAL	26%		31%		33%	

In view of the persistence of racially-identifiable schools in a number of communities, it would be appropriate to remind school committees and superintendents of their obligations under state and federal law.

MASSACHUSETTS AND FEDERAL REQUIREMENTS

1. Requirements under State Law

State law defines a school whose enrollment is more than 50% "non-white" as "racially imbalanced," and requires the school system operating such a school to implement various measures that will encourage and allow voluntary transfers of students that will have the effect of eliminating this condition.

Various incentives are provided to encourage and assist school districts in doing so, including transportation reimbursements, increased construction reimbursements, funding for magnet schools, and an "Equal Education Improvement Fund" to improve the quality of education in desegregated schools. These incentives, and the urban/suburban Metco Program, are offered under Chapter 636 of 1974.

A difficulty arises in the definition of "non-white." When the original Racial Imbalance Act was prepared, in 1965, there were few Hispanic students in the Commonwealth, and the drafters did not define how "non-white" should be applied. Early controversies arose over whether Cape Verdean and Chinese students should be counted as "non-white" along with Black students (decisions were reached that they should be), and there has been a continuing uncertainty about how to count Hispanic students. As is well known, there is a wide range of racial characteristics among Hispanic peoples, even though all are considered "minority" under Federal law.

On the advice of then-Attorney General Brooke, the responsibility has been placed upon local school officials to use their best judgment as to whether

particular students should be considered "white" or "non-white" in making the racial census. I have also provided detailed guidelines on how and why to carry out the racial census.

2. Requirements under Federal Law

The term "non-white" is not used by the Office for Civil Rights or by the desegregation cases which have been resolved in the federal court system.

A comprehensive category of "minority" is used, which includes Black, Hispanic, Native American (that is, Indian), and Asian-American Students.

Federal law does not create an obligation to reduce racial imbalance, as does state law. Instead, it forbids official action that results in the segregation or isolation of minority students. The story of desegregation cases since *Brown* in 1954 is largely one of defining the kinds of actions which would constitute such segregation, and the kinds of remedial measures which are necessary once a finding of illegal segregation has been made.

3. Reconciling the Two in Massachusetts

- A school system with schools more than 50% "non-white" must implement measures to encourage voluntary transfers that will improve racial balance.
- If the system is planning schools, or redistricting, or changing grade structures, or permitting school transfers, it must take racial balance into account in so doing.
- A school system with a disproportionate number of "minority" students in certain schools may take a variety of measures--including voluntary transfers, redistricting, or changing grade structures--to reduce this isolation.
- If the system is planning schools, or redistricting, or changing grade structures, or permitting student transfers, it must assure that these measures do not result in further segregation, whether intended or unintended but predictable.

- The Board of Education must take care not to approve measures (school construction, for example) which would result in further segregation.
- The Board may provide financial support and encouragement to school systems to reduce racial isolation on a voluntary basis, even when racial imbalance as such does not exist but is potential.

In practice, what this means is that we give particular attention to assuring that school systems do not take actions that would constitute official action resulting in segregation of minority students, and that they correct the effects of any past actions that they may have taken that had that result. We provide advice and assistance to protect the school system--and the Board--from desegregation litigation.

Over the past ten years every school system which we have approached with such concerns has taken appropriate steps without the need for state enforcement actions, though sometimes only after extended discussions and negotiations!

Massachusetts Among The States

Nationwide, state government and state education agencies have been perceived--correctly--as reluctant and ineffective defenders of the constitutional rights of minority students, including the right not to be segregated. During the first round of school desegregation cases, the laws and policies of the seventeen states with laws requiring racially-separate schools were a primary basis for ordering remedial plans.

More recently, desegregation litigation in the North has generally involved the states as defendants, and Ohio, Missouri, Michigan, and Indiana have been found guilty of contributing to unconstitutional racial segregation through policies and practices or through neglect of legal responsibilities. In response, and also as a result of the desire of the federal government to "get off the hook" of enforcing desegregation requirements, there has been considerable interest in the state role in desegregation and equal educational opportunity.

While thirty-nine states have passed some type of legislation or policy in support of equal opportunity and/or desegregation, only five states--Illinois, Massachusetts,

New Jersey, New York, and Pennsylvania--have ever initiated enforcement actions to require that school systems eliminate racial isolation, and this state's efforts have been the most consistent and successful, according to a national study.

Enforcement in Massachusetts was carried out from 1965 to 1974 on the basis of the Racial Imbalance Law, drafted by the Department of Education with the assistance of a Board-appointed study group. Under this statute racial balance plans were approved for Boston, Cambridge, Medford, and Springfield during the late 1960's; when implementation (mostly involving school construction) proved dilatory, the Board ordered development and implementation of "short-term" plans for Boston, New Bedford, and Springfield. In five rulings of the Supreme Judicial Court the Board's enforcement actions received strong support.

The racial Imbalance Law was drastically amended in 1974, substituting greatly increased funding for the power to order school redistricting. Since Boston and Springfield were already under court orders to implement the plans previously ordered by the Board, this seemed no great loss, and the next several years were taken up with setting up programs of state financial support to desegregation which are unparalleled among the states.

Only four states--Massachusetts, New York, and Wisconsin, recently joined by Minnesota--have appropriated state funds directly to support implementation of desegregation without being ordered to do so by a federal court.

The Massachusetts program of support for desegregation has several inter-locking elements, presented here in the order of their creation:

- (a) Construction assistance has involved extra financial support for those construction/renovation projects that are undertaken as part of a racial balance plan; as noted, early plans generally called for building new schools with enlarged attendance areas which would draw racially-diverse enrollments. Schools have been built under this provision in Boston, Cambridge, Holyoke, Lawrence, Lowell, New Bedford, Revere, Springfield, and Worcester with a total cost of more than \$700 million. Many additional projects--critically needed to respond to space problems as well as to desegregation--are presently held up pending the availability of funding.

- (b) **Transportation reimbursement** at an entitlement of 100% was originally established to support "Operation Exodus," a program organized by Black parents in Boston to transport their children to available space in predominantly-white schools; it has since proved of benefit to Boston and Springfield, in particular, as they have implemented their court-ordered plans. The Board has filed legislation to extend this support to other desegregating districts. The impact of this program has been reduced by the underfunding of the transportation account.
- (c) **Urban/suburban transfers** (commonly called "Metco" after the organization which pioneered the program) are supported by an annual appropriation; this pays for tuition, specialized support staff, and transportation costs for more than 3,500 minority students who attend suburban Boston and Springfield schools. Level-funding of this program has placed it under severe pressure.
- (d) **The Equal Education Improvement Funds** (previously \$9,641,900, reduced to \$8,854,000 in FY '90) are set up for each system implementing a racial balance or desegregation plan, and each fund receives a share of the funds appropriated proportionate to the number of students reassigned. These funds may be used in any way to strengthen education, subject to the guidelines and priorities established by the Board. Their reduction this year has been a severe blow to urban education.
- (e) **Magnet school funding** (previously \$5,350,000, reduced to \$5,000,000 in FY '90) supports additional costs of magnet schools. These funds have been the "cutting edge" of state desegregation efforts, since they have permitted such systems as Holyoke and Worcester to develop voluntary desegregation plans and to implement them with increased support for education. More than 200 magnet schools enrolling 110,000 students currently have a claim on these funds. Although these schools represent models of effective integrated education, the need to share the funds more and more widely is severely reducing the impact of this program on urban school reform.

Over the past dozen years, state efforts in Massachusetts have taken a new direction, as we have worked with school systems to develop and implement voluntary plans, using the standards of the United States Constitution in addition to

those of the Massachusetts Racial Imbalance Law. Our goal has been to assure that the rights of every minority child not to be segregated and to receive equal educational opportunities were protected. Voluntary actions has prevented the desegregation litigation which was necessary in Boston because of the narrow scope of earlier racial balance efforts.

Much opposition, based in part on fear, in part on prejudice, has been successfully overcome. Communities which threatened to divide along racial and ethnic lines have found a measure of unity in support of desegregation plans that make educational improvement central.

But all of this progress is profoundly threatened today by the slackening of state support and commitment as reflected in the budget. It is hard to be confident of further progress so long as the present fiscal situation persists.